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TRANSMITTAL  
FORM

Total Number of Pages in This Submission 38

Application Number 09/701,933

Filing Date 08/20/01

First Named Inventor Tom Sander, et al.

Group Art Unit 3738

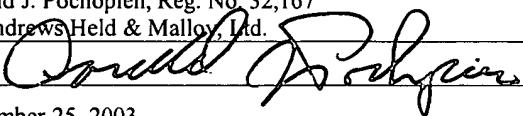
Examiner Name Bruce Edward Snow

Attorney Docket Number 1915/13971US02

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached - \$130.00 <input checked="" type="checkbox"/> Second Amendment and Response Under 37 C.F.R. §1.116 with Exhibits A-E attached thereto <input checked="" type="checkbox"/> After Final <input checked="" type="checkbox"/> Request To Correct Inventorship Under 37 C.F.R. §1.48(b) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO 1449/08A with references <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) ( sheets) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Reply postcard
Remarks		RECEIVED DEC 04 2003 TECHNOLOGY CENTER R3700

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	Donald J. Pochopien, Reg. No. 32,167 McAndrewsHeld & Malloy, Ltd.		
Signature			
Date	November 25, 2003		

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 25, 2003.

Name (Print/type)	Donald J. Pochopien	Registration No. (Attorney/Agent)	32,167
Signature			Date 11/25/03



Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
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## FEE TRANSMITTAL for FY 2004

Patent Fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT** (\$130.00)

Complete if Known	
Application Number	09/701,933
Filing Date	08/20/01
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METHOD OF PAYMENT				FEE CALCULATION (continued)																																																																																																																																																																																																							
<p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center; padding: 5px;">13-0017</td> </tr> <tr> <td style="text-align: center; padding: 5px;">McAndrews Held &amp; Malloy</td> </tr> </table> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  <input type="checkbox"/> Applicant claims small entity status.          See 37 CFR 1.27</p>				13-0017	McAndrews Held & Malloy	<p><b>3. ADDITIONAL FEES</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Large Entity</th> <th style="text-align: left;">Small Entity</th> <th style="text-align: left;">Fee Description</th> <th style="text-align: right;">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>1051</td> <td>130</td> <td>2051</td> <td>65</td> <td>SurchARGE - late filing fee or oath</td> <td></td> </tr> <tr> <td>1052</td> <td>50</td> <td>2052</td> <td>25</td> <td>SurchARGE - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>1053</td> <td>130</td> <td>1053</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>1812</td> <td>2,520</td> <td>1812</td> <td>2,520</td> <td>For filing a request for ex parte reexamination</td> <td></td> </tr> <tr> <td>1804</td> <td>920*</td> <td>1804</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>1805</td> <td>1,840*</td> <td>1805</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>1251</td> <td>110</td> <td>2251</td> <td>55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>1252</td> <td>420</td> <td>2252</td> <td>210</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>1253</td> <td>950</td> <td>2253</td> <td>475</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>1254</td> <td>1,480</td> <td>2254</td> <td>740</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>1255</td> <td>2,010</td> <td>2255</td> <td>1,005</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>1401</td> <td>330</td> <td>2401</td> <td>165</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>1402</td> <td>330</td> <td>2402</td> <td>165</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>1403</td> <td>290</td> <td>2403</td> <td>145</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>1451</td> <td>1,510</td> <td>1451</td> <td>1510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>1452</td> <td>110</td> <td>2452</td> <td>55</td> <td>Petition to revive - unavoidable</td> <td></td> </tr> <tr> <td>1453</td> <td>1,330</td> <td>2453</td> <td>665</td> <td>Petition to revive - unintentional</td> <td></td> </tr> <tr> <td>1501</td> <td>1,330</td> <td>2501</td> <td>665</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>1502</td> <td>480</td> <td>2502</td> <td>240</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>1503</td> <td>640</td> <td>2503</td> <td>320</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td>1460</td> <td>130</td> <td>1460</td> <td>130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>1807</td> <td>50</td> <td>1807</td> <td>50</td> <td>Processing fee under 37 CFR 1.17(f)</td> <td></td> </tr> <tr> <td>1806</td> <td>180</td> <td>1806</td> <td>180</td> <td>Submission of Information Disclosure Stmt</td> <td></td> </tr> <tr> <td>8021</td> <td>40</td> <td>8021</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>1809</td> <td>770</td> <td>2809</td> <td>385</td> <td>Filing a submission after final rejection (37 CFR § 1.129(a))</td> <td></td> </tr> <tr> <td>1810</td> <td>770</td> <td>2810</td> <td>385</td> <td>For each additional invention to be examined (37 CFR 1.129(b))</td> <td></td> </tr> <tr> <td>1801</td> <td>770</td> <td>2801</td> <td>385</td> <td>Request for Continued Examination (RCE)</td> <td></td> </tr> <tr> <td>1802</td> <td>900</td> <td>1802</td> <td>900</td> <td>Request for expedited examination of a design application</td> <td></td> </tr> <tr> <td colspan="4">Other fee (specify) <i>Fee under 37 C.F.R. § 1.17(i)</i></td><td style="text-align: right;">130.00</td><td></td></tr> <tr> <td colspan="4">SUBTOTAL (2) (\$)</td><td></td><td></td></tr> <tr> <td colspan="4">**or number previously paid, if greater; 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SUBMITTED BY			Complete (if applicable)	
Name (Print/Type)	Donald J. Pochopien	Registration No. (Attorney or Agent)	32,167	Telephone
Signature	<i>Donald J. Pochopien</i>		Date	November 25, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



ATTORNEY DOCKET No. TB 104IA-US 1915/13971US02

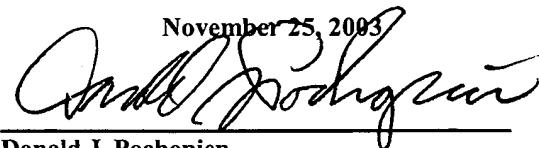
X-26

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

Applicants:  
Sander, Tom, *et al.*)  
U.S. Serial No.: 09/701,933 )  
Filed: August 20, 2001 )  
For: "ELONGATED CORTICAL BONE )  
IMPLANT" (AS AMENDED) )  
Group Art Unit: 3738 )  
Examiner: Bruce Edward Snow )

CERTIFICATE OF MAILING

I hereby certify that this paper (and all papers referred to herein) is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

November 25, 2003  


Donald J. Pochopien  
Registration No. 32,167  
Attorney for Applicants

REQUEST TO CORRECT INVENTORSHIP UNDER 37 C.F.R. § 1.48(b)

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

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DEC 04 2003  
TECHNOLOGY CENTER 13700

In response to the Official Action of 09/29/03, finally rejecting all claims (claims 59-71) for which a response is due 11/29/03, the Applicants cofiled an Amendment and Request for Reconsideration, cancelling claims 62-64 and 66-67. The subject matter being cancelled by the Amendment related to subject matter was disclosed for the first time in the CIP application wherein the inventors to be deleted were first listed. As a result of the cancellation of these claims, the undersigned attorney determined that fewer than all of the currently named inventors are the actual inventors of the invention being claimed. The undersigned attorney has hereby **requests an amendment** to the names of the co-inventors, deleting the names of the following inventors:

1. Loic Josse; and
2. Lawrence M. Boyd

because these inventors' invention is no longer being claimed.

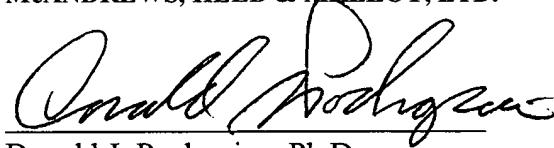
(Note: The last name of the second co-inventor to be deleted is misspelled as "Bovd" on the Official Filing Receipt but is correctly spelled as "Boyd" in the original filing documents. )

This Request is accompanied by a check in the amount of \$130.00 to cover the processing fee under 37 C.F.R. § 1.17(i).

Respectfully submitted,

**McANDREWS, HELD & MALLOY, LTD.**

By:

  
Donald J. Pochopien, Ph.D.  
Registration No. 32,167  
Attorney for Applicants  
500 West Madison Street  
Suite 3400  
Chicago, Illinois 60661  
(312) 775-8133

Dated: November 25, 2003

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